

Exhibit 7

REDACTED VERSION OF DOCUMENT SOUGHT TO BE FILED UNDER SEAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: FACEBOOK, INC. CONSUMER) MDL No. 2843
PRIVACY USER PROFILE LITIGATION) Case No.
_____) 18-md-02843-VC

This document relates to:)
ALL ACTIONS)
_____)

*** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY ***

REMOTE VIDEOTAPED DEPOSITION BY VIRTUAL ZOOM OF
FACEBOOK INC. REPRESENTATIVE,
KONSTANTINOS PAPAMILTIDIS
TUESDAY, FEBRUARY 23, 2021

Reported by:
Ashala Tylor, CSR #2436, CLR, CRR, RPR
JOB NO. 4473154
PAGES 1 - 280

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: FACEBOOK, INC. CONSUMER) MDL No. 2843
PRIVACY USER PROFILE LITIGATION) Case No.
_____) 18-md-02843-VC

This document relates to:)
ALL ACTIONS)
_____)

Videotaped deposition of FACEBOOK, INC.
REPRESENTATIVE, KONSTANTINOS PAPAMILTIDIS taken via
virtual Zoom, commencing at 9:10 a.m. and ending at
3:58 p.m., on Tuesday, February 23, 2021, before Ashala
Tylor, CSR No. 2436, RPR, CRR, CLR.

1 APPEARANCES OF COUNSEL:

2 FOR THE PLAINTIFF:

3 BLEICHMAR FONTI & AULD LLP

4 BY: LESLEY E. WEAVER, ESQ.

5 ANNE DAVIS, ESQ.

6 MATTHEW MONTGOMERY, ESQ.

7 MATTHEW MELAMED, ESQ.

8 555 12th Street, Suite 1600

9 Oakland, California 94607

10 415.445.4003

11 lweaver@bfalaw.com

12 adavis@bfalaw.com

13 mmmontgomery@falaw.com

14 mmelamed@bfalaw.com

1 A P P E A R A N C E S (continued)

2 FOR PLAINTIFFS:

3 KELLER ROHRBACK LLP

4 BY: DAVID KO, ESQ.

5 CARI C. LAUFENBERG, ESQ.

6 DAVID LOESER, ESQ.

7 1201 Third Avenue, Suite 3200

8 Seattle, Washington 98101-3052

9 206.623.3384

10 dko@kellerrohrback.com

11 claufenberg@kellerrohrback.com

12 dloeser@kellerrohrback.com

13

14

15

16

17

18

19

20

21

22

23

24

25

1 A P P E A R A N C E S (continued)

2 FOR THE DEFENDANT FACEBOOK, INC.:

3 GIBSON, DUNN & CRUTCHER LLP

4 BY: DEBORAH STEIN, ESQ.

5 MARTIE KUTSCHER CLARK, ESQ.

6 333 S. Grand Avenue, 47th Floor

7 Los Angeles, California 90071

8 213.229.7000

9 dstein@gibsondunn.com

10 mkutscherClark@gibsondunn.com

11 - and -

12 GIBSON DUNN & CRUTCHER LLP

13 BY: LAURA MUMM, ESQ.

14 200 Park Avenue, 47th Floor

15 New York, New York 10166

16 212.351.4000

17 lmumm@gibsondunn.com

18
19 Also Present:

20 Ian Chen, In-House Facebook Counsel

21 Kimberly Decker, Videographer

I N D E X

WITNESS	EXAMINATION BY	PAGE
KONSTANTINOS PAPAMILTIDIS		
	Ms. Weaver	9, 171

E X H I B I T S

NO.	DESCRIPTION	PAGE
Exhibit 1	Plaintiffs' Amended Notice of Deposition of Defendant Facebook, Inc. Pursuant to Federal Rule of Civil Procedure 30(b)(6)	10
Exhibit 2	Discovery Order No. 9 (Dkt. Nos. 515, 526, 537, 548)	10
Exhibit 3	Email from Simone LiTrenta to Matt Scutari and others, 5-8-14, FB CA MDL 00213423 - 443	49
Exhibit 4	Email exchange, top one from Simon Cross to Steven Elia, 1-29-15, FB-CA-MDL-00227697 - 699	240
Exhibit 5	Excel spreadsheet, FB-CA-MDL-01434884.csv	265
Exhibit 6	Excel spreadsheet, FB-CA-MDL-01434885.csv	266
	Instruction Not to Answer	
	Page 91, Line 9	

Tuesday, February 23, 2021

9:10 a.m.

--o0o--

THE VIDEOGRAPHER: Good morning. We are 09:10
going on the record at 9:10 a.m. on February 23rd of 09:10
2021. All participants are attending remotely. 09:10

Audio and video recording will continue to 09:10
take place unless all parties agree to go off the 09:10
record. 09:10

This is Media Unit 1 of the recorded 09:10
deposition of Facebook, Inc. representative, 09:10
Konstantinos Papamiltiadis, taken by counsel for the 09:10
plaintiffs in the matter of Facebook, Inc. Consumer 09:10
Privacy User Profile Litigation filed in the 09:10
United States District Court, Northern District of 09:10
California, Case Number 18-md-02843-VC. 09:10

My name is Kimberly Decker from Veritext 09:10
Legal Solutions and I'm the videographer. The court 09:10
reporter is Ashala Tylor. I'm not related to any 09:10
party in this action, nor am I financially 09:11
interested in the outcome. 09:11

Counsel and all present will now state 09:11
their appearances and affiliations for the record. 09:11
If there are any objections to proceeding, please 09:11

1 state them at the time of your appearance, beginning 09:11
2 with the noticing attorney. 09:11
3 MS. WEAVER: Good morning, everybody. I'm 09:11
4 Lesley Weaver, co-lead counsel for plaintiffs and 09:11
5 from Bleichmar Fonti & Auld. 09:11
6 MS. DAVIS: Good morning. Anne Davis also 09:11
7 for plaintiffs, Bleichmar Fonti & Auld. 09:11
8 MR. MONTGOMERY: Matthew Montgomery for 09:11
9 plaintiffs, Bleichmar Fonti & Auld. 09:11
10 MR. MELAMED: Matt Melamed for plaintiffs, 09:11
11 Bleichmar Fonti & Auld. 09:11
12 MS. LAUFENBERG: Cari Laufenberg for 09:11
13 plaintiffs from Keller -- 09:11
14 THE REPORTER: I'm sorry, one more time, 09:11
15 please. 09:11
16 MS. LAUFENBERG: Cari Laufenberg for 09:11
17 plaintiffs from Keller Rohrbach. 09:11
18 MR. KO: David Ko of Keller Rohrbach also 09:11
19 on behalf of the plaintiffs. Good morning. 09:12
20 MR. LOESER: Good morning. Derek Loeser 09:12
21 from Keller Rohrbach for plaintiffs. 09:12
22 MS. STEIN: Are you ready for defendant? 09:12
23 Deborah Stein from Gibson, Dunn on behalf 09:12
24 of defendant Facebook. 09:12
25 MS. CLARK: Martie Kutscher Clark from 09:12

1 Gibson, Dunn also on behalf of Facebook. 09:12

2 MS. MUMM: Laura Mumm from Gibson, Dunn on 09:12

3 behalf of Facebook. 09:12

4 MR. CHEN: And this is Ian Chen. I am 09:12

5 in-house counsel for Facebook. 09:12

6 THE VIDEOGRAPHER: Would the court 09:12

7 reporter please swear in the witness. 09:12

8 09:13

9 KONSTANTINOS PAPAMILTIDIS, 09:13

10 being first duly sworn or affirmed to testify 09:13

11 to the truth, the whole truth, and nothing but 09:13

12 the truth, was examined and testified as follows: 09:13

13 THE REPORTER: Proceed, Counsel. 09:13

14 EXAMINATION 09:13

15 BY MS. WEAVER: 09:13

16 Q. Good morning. And thank you very much for 09:13

17 being here this morning and as we adjust to this new 09:13

18 process. 09:13

19 May I address you as K.P. throughout the 09:13

20 deposition or would you prefer Mr. Papamiltiadis? 09:13

21 A. I don't need to ask counsel's permission 09:13

22 to answer that question. I guess you can. 09:13

23 Q. All right. You come prepared. 09:13

24 I'm going to start by marking a couple of 09:13

25 exhibits, and I think that you've practiced with 09:13

1	BY MS. WEAVER:	09:57
2	Q. Do you have an Exhibit 3?	09:57
3	A. So we're going to 3?	09:57
4	Q. We are going to 3.	09:58
5	A. Okay. I don't see it yet.	09:58
6	Q. I think you might need to refresh.	09:58
7	Do you have Exhibit 3 yet?	09:58
8	A. Yes.	09:58
9	Q. Okay.	09:58
10	MS. WEAVER: For the record, Exhibit 3 is	09:58
11	an email dated May 8, 2014, with some attachments.	09:58
12	Q. Have you seen Exhibit 3 before?	09:58
13	A. No, I haven't.	09:58
14	Q. Okay. Did --	09:58
15	MS. STEIN: Why don't you give the witness	09:58
16	an opportunity to review the document.	09:58
17	MS. WEAVER: Okay. Thanks, Deb. You were	09:58
18	about to get in trouble.	09:58
19	Q. So there's the cover email, K.P., but if	09:58
20	you look at the attachment, and I direct your	09:58
21	attention to the Bates number that ends with 424.	09:58
22	Remember the -- if you look at the bottom there.	09:58
23	THE WITNESS: Yes, I've seen those pages,	09:58
24	yes.	09:59
25		

1	BY MS. WEAVER:	09:59
2	Q. Okay. And when did you last see them?	09:59
3	A. Either yesterday or Friday.	09:59
4	Q. When did you first see them?	09:59
5	A. Maybe Friday.	09:59
6	Q. Okay. You hadn't seen them before Friday?	09:59
7	A. No.	09:59
8	Q. Is that right? Okay.	09:59
9	Do you have an understanding as to what	09:59
10	Exhibit 3 is?	09:59
11	A. I don't know the contents of the email,	09:59
12	but I think I can understand the page that you asked	09:59
13	me to look at, what it meant to be.	09:59
14	Q. Okay. And what is your understanding?	09:59
15	A. It's definition of different data that	09:59
16	Facebook may have accessed.	09:59
17	Q. Okay. And let me back up again. This is	09:59
18	foundational. Do people communicate by email at	09:59
19	Facebook?	09:59
20	A. It's one of the ways to communicate, yes.	09:59
21	Q. How else do people communicate in the	09:59
22	course of doing business at Facebook?	09:59
23	A. We use a version of the product that is	09:59
24	designed for the business world called Workplace.	09:59
25	We use a version of our Messenger product, which is	10:00

1 also an example, a device called Workset. We use 10:00
2 emails. We use [REDACTED]. We use other 10:00
3 videoconferencing facilities. We use our telephones 10:00
4 to call each other. Different ways. 10:00
5 Q. And people text as well; is that right? 10:00
6 A. We don't like text messaging. We have our 10:00
7 own messaging apps. 10:00
8 Q. Just out of curiosity, is the Facebook 10:00
9 Messenger that people that work at Facebook use, is 10:00
10 that different than the Facebook Messenger that 10:00
11 users on the platform use, or is it the same? 10:00
12 A. I mean I use Messenger the same way you 10:00
13 would use it. But internally I don't use that 10:00
14 version of the product. I use an Enterprise 10:00
15 personal product -- 10:00
16 Q. Okay. 10:00
17 A. -- which is called Workset. 10:00
18 Q. And what's the difference functionally 10:00
19 between those two? 10:00
20 MS. STEIN: Objection. This is like way 10:00
21 beyond the scope about what employees at Facebook 10:00
22 use. 10:01
23 MS. WEAVER: Okay. Fine. It's fine. I 10:01
24 was trying to establish a foundation, but I guess we 10:01
25 can come back to that in another deposition. 10:01

1 Q. So, K.P., back to Exhibit 3. Do you who 10:01
2 Simone LiTrenta is? 10:01
3 A. No. 10:01
4 Q. Okay. Looking at just the cover email, do 10:01
5 you recognize the names of anybody on this email as 10:01
6 individuals who work at Facebook? 10:01
7 A. I recognize Matt Scutari, Rob Sherman, and 10:01
8 Erin Egan. 10:01
9 Q. And you understand that those are 10:01
10 employees of Facebook during the time this email was 10:01
11 written; is that right? 10:01
12 A. That is 2014? Yes, I believe so. 10:01
13 Q. Okay. And do you believe Exhibit 3 to be 10:01
14 an email sent by employees at Facebook in the 10:01
15 regular course of business? 10:01
16 A. Yes, that looks like. 10:01
17 Q. Okay. Do you have an understanding as to 10:01
18 what the materials that are attached to this email 10:02
19 are? 10:02
20 A. I think it's a set of definitions that -- 10:02
21 or slides that were meant to be presented at an 10:02
22 off-site. 10:02
23 Q. Okay. And what is -- do you know what the 10:02
24 global policy team is? 10:02
25 A. Yes. 10:02

1 Q. What is it? 10:02

2 A. It's a team that is responsible for our 10:02

3 relationships with governments and regulators. 10:02

4 Q. Okay. And just again by way of 10:02

5 understanding how Facebook functions, you see 10:02

6 there's a [REDACTED] hyperlink here in the email? 10:02

7 A. Yes. 10:02

8 Q. Does Facebook also use [REDACTED]? 10:02

9 MS. STEIN: Objection to form. This 10:02

10 isn't -- not an ESI depo and he is not testifying 10:02

11 about what Facebook uses internally. Let's focus on 10:02

12 the subjects that he's here for. 10:02

13 MS. WEAVER: I'm trying to understand if 10:02

14 this document is complete, and that's a little bit 10:02

15 difficult to do. So are you going to instruct him 10:03

16 not to answer? 10:03

17 MS. STEIN: Is there a reason why you 10:03

18 think the document is not complete? 10:03

19 MS. WEAVER: Okay. Let me question. 10:03

20 Q. So is it true that Facebook -- people use 10:03

21 [REDACTED] at Facebook to share document files? 10:03

22 A. Can I answer? 10:03

23 Q. Yes. 10:03

24 A. Sorry, I was looking at the document. 10:03

25 Q. No problem. 10:03

1 A. It's -- it's true that for files that are 10:03
2 concise that are too big to send by email we would 10:03
3 use [REDACTED]. 10:03

4 Q. Okay. Is there any way to know whether or 10:03
5 not a hard copy version of a document like this was 10:03
6 everything that was contained in the hyperlink or 10:03
7 would you have to see it in native form? 10:03

8 MS. STEIN: Objection to form. 10:03

9 Lesley, next. 10:03

10 BY MS. WEAVER: 10:03

11 Q. Please answer the question. 10:03

12 A. I'm not sure I understand exactly what you 10:03
13 saying. I don't even know what you have printed 10:03
14 out, so I cannot really establish whether it's a 10:03
15 complete document or not. 10:03

16 Q. Okay. Is there -- normally -- let me ask 10:03
17 this. Does Facebook maintain document like -- 10:04
18 documents like this in PDF form or are they native? 10:04

19 MS. STEIN: Objection to form. 10:04

20 Lesley, move on. 10:04

21 BY MS. WEAVER: 10:04

22 Q. Please answer the question. 10:04

23 MS. STEIN: It's not an ESI deposition. 10:04

24 Move on. 10:04

25 MS. WEAVER: I'm trying to understand this 10:04

1 document, which we gave to you ahead of time, and 10:04
2 whether or not it's complete. So please allow him 10:04
3 to answer. 10:04

4 MS. STEIN: Ask him if he knows whether 10:04
5 it's complete. Don't ask him about things that have 10:04
6 nothing to do with what he's here to testify about 10:04
7 here today. He's not authorized on behalf of 10:04
8 Facebook to talk about [REDACTED], email, messaging 10:04
9 that gets used internally. 10:04

10 BY MS. WEAVER: 10:04

11 Q. So, K.P., can I ask you, is there any kind 10:04
12 of -- for [REDACTED] is there any -- well, just -- I'll 10:04
13 move on. I'll come back to it. 10:04

14 So looking back at Exhibit 3, and turning 10:04
15 to the first page ending at Bates number 424 -- 10:04

16 A. 424, yes. 10:05

17 Q. [REDACTED] 10:05
18 Do you see that? 10:05

19 A. Yes. 10:05

20 Q. And you said earlier that you know who Rob 10:05
21 Sherman is; is that right? 10:05

22 A. Yes, I do. 10:05

23 Q. And who is he? 10:05

24 A. He's the VP of privacy. 10:05

25 Q. And he's still at Facebook; is that right? 10:05

Page 57

1 Q. Okay. And specifically to prepare for 10:06
2 this deposition in response to this notice, how much 10:06
3 time did you spend preparing? 10:06

4 A. I don't know. Between, you know, calls 10:06
5 with my counsels and homework that I have done for 10:06
6 myself, I would say 15-20 hours. 10:06

7 Q. Okay. Thank you. 10:06

8 And looking back now at the page that we 10:06
9 were looking at ending in Bates number 424, do you 10:06
10 see that it describes three categories of data on 10:06
11 the left? 10:06

12 A. Yes. 10:06

13 Q. [REDACTED] 10:07

14 [REDACTED] Do you see that? 10:07

15 A. Yes. 10:07

16 Q. Do you have an understanding as to what 10:07

17 [REDACTED] is? 10:07

18 A. [REDACTED] 10:07

19 [REDACTED] 10:07

20 [REDACTED]. 10:07

21 Q. [REDACTED] [REDACTED] 10:07

22 [REDACTED] 10:07

23 A. [REDACTED] 10:07

24 Q. Okay. And then what is [REDACTED] 10:07

25 MS. STEIN: Object to form. 10:07

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1 THE WITNESS: Data that is -- what? 10:07

2 MS. STEIN: Objection to form. 10:07

3 BY MS. WEAVER: 10:07

4 Q. I'll repeat the question. What is 10:07

5 [REDACTED] 10:07

6 MS. STEIN: Same objection. 10:07

7 THE WITNESS: It's -- sorry. I have to 10:07

8 look at the document while you're talking. I don't 10:07

9 mean to talk over you. 10:07

10 It's okay I answer the question now? 10:07

11 BY MS. WEAVER: 10:07

12 Q. Yes. 10:07

13 A. [REDACTED] 10:07

14 [REDACTED] 10:07

15 Q. [REDACTED] 10:07

16 [REDACTED] 10:07

17 A. [REDACTED] 10:08

18 Q. [REDACTED] 10:08

19 [REDACTED] 10:08

20 A. [REDACTED] 10:08

21 Q. Okay. And what is [REDACTED]? 10:08

22 MS. STEIN: Objection to form. 10:08

23 THE WITNESS: Sorry, I need to switch back 10:08

24 to see -- you don't want to talk. Okay. 10:08

25 [REDACTED] 10:08

1 [REDACTED] 10:08

2 BY MS. WEAVER: 10:08

3 Q. Okay. And as you sit here today, are 10:08

4 there any other kinds of information Facebook 10:08

5 receives about people other than these three 10:08

6 categories? 10:08

7 A. I don't think so. 10:08

8 Q. Okay. Let's return to our discussion of 10:08

9 [REDACTED]. Do you have an understanding as to why 10:08

10 the word [REDACTED] is being used? What does that 10:08

11 mean? Is it the same as raw data? 10:09

12 MS. STEIN: Objection to form. 10:09

13 THE WITNESS: Every piece of data has a 10:09

14 degree of rawness associated with it. Depends how 10:09

15 you define raw. 10:09

16 BY MS. WEAVER: 10:09

17 Q. Okay. I just didn't quite hear. Every 10:09

18 piece of data has a particular -- 10:09

19 A. (Indecipherable). I'm joking. 10:09

20 They -- if you are talking about raw data, 10:09

21 what do you mean? 10:09

22 Q. Okay. Well, I'm trying to learn from you, 10:09

23 so let me ask you. 10:09

24 A. The IP address -- the IP address is raw 10:09

25 data. 10:09

1 Q. Uh-huh, okay. Good. 10:09

2 A. But it comes through activity that happens 10:09

3 on a native Facebook app. The [REDACTED] means, in my 10:09

4 mind, the way I see the definition there, as 10:09

5 [REDACTED] 10:09

6 Q. [REDACTED] [REDACTED] 10:09

7 [REDACTED] 10:09

8 [REDACTED] 10:09

9 A. [REDACTED] 10:09

10 Q. Okay. And so when we -- when this 10:09

11 document says [REDACTED] 10:09

12 [REDACTED] 10:10

13 [REDACTED] 10:10

14 A. [REDACTED] 10:10

15 Q. [REDACTED] 10:10

16 A. [REDACTED] 10:10

17 [REDACTED] 10:10

18 [REDACTED] [REDACTED] 10:10

19 [REDACTED] 10:10

20 [REDACTED] 10:10

21 [REDACTED] 10:10

22 Q. [REDACTED] [REDACTED] 10:10

23 [REDACTED] 10:10

24 [REDACTED] 10:10

25 A. [REDACTED] [REDACTED] 10:10

1 [REDACTED] 10:10

2 Q. Great. Thank you. 10:10

3 And then on the right it seems -- this 10:10

4 chart seems to further break down categories of 10:10

5 [REDACTED] Do you see that? 10:10

6 A. Yes. 10:10

7 Q. Okay. And there's a column or really a 10:10

8 box that says [REDACTED] Do you see 10:10

9 that? 10:11

10 A. Yes. 10:11

11 Q. [REDACTED] 10:11

12 [REDACTED] [REDACTED] 10:11

13 [REDACTED] [REDACTED] 10:11

14 [REDACTED] [REDACTED] 10:11

15 [REDACTED] Do you see all of 10:11

16 those boxes? 10:11

17 A. Yes. 10:11

18 Q. Okay. Do you have an understanding as to 10:11

19 what [REDACTED] means? 10:11

20 A. [REDACTED] 10:11

21 [REDACTED] [REDACTED] 10:11

22 [REDACTED] 10:11

23 Q. Okay. And so that means that a user has 10:11

24 taken an action to share the data; is that fair? 10:11

25 A. Correct. 10:11

1 Q. Okay. And so what does [REDACTED] 10:11

2 [REDACTED] mean? 10:11

3 MS. STEIN: Object to form. 10:11

4 THE WITNESS: [REDACTED] 10:11

5 [REDACTED] 10:11

6 BY MS. WEAVER: 10:11

7 Q. I'm sorry, did you -- 10:11

8 A. [REDACTED] 10:12

9 [REDACTED] 10:12

10 [REDACTED] [REDACTED] 10:12

11 [REDACTED] 10:12

12 [REDACTED] 10:12

13 [REDACTED] [REDACTED] 10:12

14 [REDACTED] 10:12

15 [REDACTED] 10:12

16 Q. [REDACTED] 10:12

17 [REDACTED] 10:12

18 [REDACTED] 10:12

19 A. [REDACTED] [REDACTED] [REDACTED] 10:12

20 [REDACTED] 10:12

21 Q. [REDACTED] [REDACTED] 10:12

22 [REDACTED] 10:12

23 [REDACTED] [REDACTED] 10:12

24 [REDACTED] 10:12

25 [REDACTED] 10:12

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1	[REDACTED]	10:12
2	[REDACTED]	10:12
3	MS. STEIN: Objection to form.	10:12
4	THE WITNESS: [REDACTED]	10:13
5	[REDACTED]	10:13
6	[REDACTED]	10:13
7	[REDACTED]	10:13
8	BY MS. WEAVER:	10:13
9	Q. Okay.	10:13
10	A. [REDACTED]	10:13
11	[REDACTED]	10:13
12	Q. [REDACTED] [REDACTED]	10:13
13	[REDACTED]	10:13
14	A. [REDACTED]	10:13
15	Q. [REDACTED] [REDACTED]	10:13
16	[REDACTED]	10:13
17	A. [REDACTED]	10:13
18	Q. [REDACTED] [REDACTED]	10:13
19	A. [REDACTED]	10:13
20	[REDACTED]	10:13
21	Q. [REDACTED]	10:13
22	A. [REDACTED]	10:13
23	Q. [REDACTED]	10:13
24	A. [REDACTED]	10:13
25	Q. [REDACTED]	10:13

Page 64

1 A. [REDACTED] 10:13

2 [REDACTED] 10:13

3 Q. [REDACTED] 10:13

4 [REDACTED] 10:13

5 A. [REDACTED] 10:14

6 Q. Okay. [REDACTED] 10:14

7 [REDACTED] 10:14

8 [REDACTED] 10:14

9 A. [REDACTED] 10:14

10 MS. STEIN: Object. Objection to form. 10:14

11 BY MS. WEAVER: 10:14

12 Q. Okay. And then there's this box that says 10:14

13 [REDACTED] Do you see 10:14

14 that? 10:14

15 A. Yes, I do. 10:14

16 Q. What does that refer to? 10:14

17 A. [REDACTED] 10:14

18 [REDACTED] 10:14

19 Q. [REDACTED] 10:14

20 A. [REDACTED] 10:14

21 [REDACTED] 10:14

22 Q. [REDACTED] 10:14

23 [REDACTED] [REDACTED] 10:14

24 [REDACTED] 10:14

25 A. [REDACTED] 10:14

1	[REDACTED]	10:15
2	[REDACTED]	10:15
3	[REDACTED]	10:15
4	[REDACTED]	10:15
5	[REDACTED] [REDACTED]	10:15
6	Q. How did you know?	10:15
7	So how does Facebook retain that	10:15
8	information once it draws that inference?	10:15
9	A. You know, there would be --	10:15
10	MS. STEIN: Objection.	10:15
11	THE WITNESS: [REDACTED]	10:15
12	[REDACTED]	10:15
13	[REDACTED]	10:15
14	[REDACTED]	10:15
15	BY MS. WEAVER:	10:15
16	Q. And how does Facebook record those	10:15
17	interests, if you will?	10:15
18	MS. STEIN: Objection to form.	10:15
19	THE WITNESS: [REDACTED]	10:15
20	[REDACTED] [REDACTED]	10:15
21	[REDACTED] [REDACTED]	10:16
22	[REDACTED]	10:16
23	[REDACTED]	10:16
24	BY MS. WEAVER:	10:16
25	Q. Okay. And so how does that signal come	10:16

1 through in terms of data to Facebook and where does 10:16
2 it keep it? 10:16
3 A. [REDACTED] 10:16
4 [REDACTED] [REDACTED] 10:16
5 [REDACTED] 10:16
6 Q. Right. 10:16
7 A. I'm talking about you liking Beyonce's 10:16
8 page on Facebook. 10:16
9 Q. Okay. I'm just trying to understand -- 10:16
10 well, let me go back. For the [REDACTED] 10:16
11 [REDACTED] right, where does Facebook maintain that data? 10:16
12 MS. STEIN: Objection. Form. 10:16
13 THE WITNESS: What do you mean? 10:16
14 BY MS. WEAVER: 10:16
15 Q. Well, I'm trying to understand. Facebook 10:16
16 receives [REDACTED] is that right? 10:16
17 A. Yes. 10:16
18 Q. And where does it receive it and where 10:16
19 does it go? Where does the data go? 10:16
20 A. It's a -- it's a very complicated 10:16
21 question, so let me try to answer it may be with, 10:16
22 you know, like a high-level perspective. 10:17
23 So when you come to Facebook for the first 10:17
24 time in your life you will create an account, right? 10:17
25 To create an account you need to provide the 10:17

1 username and a password. And then it will ask you a 10:17
2 couple of questions. What is your first name? What 10:17
3 is your last name? What is your date of birth, and 10:17
4 so on and so on. 10:17

5 All that information lives in some, you 10:17
6 know, database somewhere, right? The next time you 10:17
7 come to Facebook you decide to post a photo of 10:17
8 yourself, you know, celebrating your birthday. That 10:17
9 information lives somewhere in a distributed 10:17
10 database, right? 10:17

11 Then some people will start liking your 10:17
12 page, saying -- will most likely be your friends. 10:17
13 That information is captured somewhere about who has 10:17
14 liked your photo. 10:17

15 Then the next day you come in and you -- 10:17
16 you like Beyonce's page because you just saw her two 10:17
17 months and you want to keep up with her work. That 10:18
18 information is captured somewhere. 10:18

19 But all that information is available 10:18
20 to -- to you, right? You can go into your Facebook 10:18
21 settings and you can find all that information. 10:18

22 Q. Okay. When you say it is captured 10:18
23 somewhere, where is the somewhere? 10:18

24 A. [REDACTED] 10:18

25 [REDACTED] [REDACTED] 10:18

1 Q. Use your example. I go on Facebook's 10:18
2 website and I take an action. Where is that 10:18
3 captured? You said it's captured somewhere. Where 10:18
4 is the somewhere? 10:18
5 A. [REDACTED] 10:18
6 [REDACTED] 10:18
7 Q. Okay. 10:18
8 A. That's a database. 10:18
9 Q. And what if it's a like? 10:18
10 A. Again, it's an activity. 10:18
11 Q. Okay. What if it's something that 10:18
12 Facebook infers? Where is it captured? 10:18
13 A. The inference? 10:18
14 Q. Yes. 10:19
15 A. [REDACTED] 10:19
16 Q. [REDACTED] [REDACTED] 10:19
17 [REDACTED] [REDACTED] [REDACTED] 10:19
18 [REDACTED] 10:19
19 A. [REDACTED] 10:19
20 Q. [REDACTED] 10:19
21 A. [REDACTED] 10:19
22 Q. [REDACTED] [REDACTED] 10:19
23 [REDACTED] 10:19
24 A. Again, I guess I'm going to level a little 10:19
25 bit the conversation. 10:19

1 If you ever liked Beyonce's page, that 10:19
2 would recapture it on your, you know, like personal 10:19
3 profile. And if any advertiser, let's say, 10:19
4 Beyonce's label wants to advertise against an 10:19
5 audience of people that like Beyonce, they would 10:19
6 basically identify that in their ad campaign 10:19
7 settings and then we would find whoever may like 10:19
8 Beyonce's page and we will deliver on that about 10:19
9 Beyonce to them. Very, very high level. 10:19

10 Q. I understand the functioning that you're 10:19
11 describing. I don't understand where the data goes 10:19
12 and how Facebook draws the inference. 10:19

13 A. I'm really sorry, but I'm having a hard 10:20
14 time hearing. Is it me or is it your mic? 10:20

15 MS. WEAVER: I'm not having a hard time 10:20
16 hearing. 10:20

17 MS. STEIN: It's the mic. 10:20

18 MS. WEAVER: Oh, okay. Can you hear me 10:20
19 now or is it -- 10:20

20 Q. Okay. So I'll repeat the question. 10:20
21 Where -- well -- how does Facebook infer data from 10:20
22 engagement on the site? 10:20

23 A. [REDACTED] 10:20
24 [REDACTED] 10:20

25 Q. And -- 10:20

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1 A. [REDACTED] 10:20

2 THE REPORTER: I'm sorry, "I mean in most 10:20

3 cases"... 10:20

4 BY MS. WEAVER: 10:20

5 Q. And -- 10:20

6 THE REPORTER: I'm sorry, "I mean in most 10:20

7 cases"... 10:20

8 THE WITNESS: [REDACTED] 10:20

9 THE REPORTER: Thank you. 10:20

10 BY MS. WEAVER: 10:20

11 Q. Let me move on. I'm going to return to 10:20

12 that because I think we need to drill down a little 10:20

13 bit. But I'll just go to [REDACTED] Do you 10:21

14 see that category? 10:21

15 A. Yes. 10:21

16 Q. And so [REDACTED] is [REDACTED] 10:21

17 [REDACTED] 10:21

18 A. Yes. 10:21

19 Q. Okay. [REDACTED] 10:21

20 [REDACTED] 10:21

21 A. [REDACTED] 10:21

22 Q. [REDACTED] 10:21

23 A. It's -- sorry. 10:21

24 MS. STEIN: Are you asking him to read 10:21

25 from the document or are you asking him his 10:21

Page 71

1 understanding? 10:21

2 [REDACTED] [REDACTED] 10:21

3 [REDACTED] 10:21

4 [REDACTED] [REDACTED] 10:21

5 [REDACTED] 10:21

6 [REDACTED] 10:21

7 [REDACTED], 10:21

8 [REDACTED] 10:21

9 [REDACTED] 10:21

10 BY MS. WEAVER: 10:21

11 Q. Do you know what a data broker is? 10:21

12 A. My definition of data broker? 10:21

13 Q. Yes. 10:22

14 A. Anybody that has access to a broad set of 10:22

15 data. 10:22

16 Q. Okay. Is Facebook a data broker? 10:22

17 A. No. 10:22

18 Q. Okay. Did you talk to anybody -- well, 10:22

19 strike that. 10:22

20 Do you see where it says [REDACTED] 10:22

21 [REDACTED] on this document? 10:22

22 A. Yes. 10:22

23 Q. What does that refer to? 10:22

24 A. I guess a list of different categories I 10:22

25 listed myself. It's also documented here. 10:22

1 Q. And so do you see to the right there it 10:22
2 [REDACTED] 10:22
3 [REDACTED] 10:22
4 [REDACTED] 10:22
5 A. Yes. 10:22
6 Q. And is it your understanding that those 10:22
7 are examples of the kind -- kinds of data that 10:22
8 Facebook collects from [REDACTED] 10:22
9 A. Yes. I don't know if it's exhaustive or 10:23
10 not, but I would imagine that it is exhaustive. 10:23
11 Q. Thank you. And then underneath that do 10:23
12 you see where it says "Advertisers"? 10:23
13 A. Yes. 10:23
14 Q. What is an advertiser? 10:23
15 A. Someone that is running marketing 10:23
16 companies on Facebook. 10:23
17 Q. Okay. And then there's a parenthetical 10:23
18 that refers to "Custom audiences, [REDACTED] 10:23
19 [REDACTED] Do you see that? 10:23
20 A. Yes. 10:23
21 Q. What is custom audiences? 10:23
22 A. A custom audience is a reference to a 10:23
23 products whereby a business can upload and encrypt 10:23
24 its -- a version of their database of customers for 10:23
25 the purpose of running a campaign that targets those 10:23

1 customers. 10:23

2 Q. Okay. I want to break that down a little 10:23

3 bit. 10:23

4 MS. WEAVER: I'm not seeing that on my 10:23

5 live feed. 10:23

6 Could you read his response back, please. 10:24

7 (The record was read by the 10:24

8 court reporter, as requested) 10:24

9 BY MS. WEAVER: 10:24

10 Q. Okay. And when you say "encrypt," what do 10:24

11 you mean? 10:24

12 A. They wouldn't upload the raw data. They 10:24

13 would upload a version of that data. 10:24

14 THE REPORTER: I'm sorry, could you repeat 10:24

15 that last part, please? 10:24

16 THE WITNESS: They wouldn't upload raw 10:24

17 customer data. They would upload encrypted personal 10:24

18 or hashed personal data. 10:24

19 BY MS. WEAVER: 10:24

20 Q. Thank you. And when you say "raw customer 10:24

21 data," what do you mean? 10:24

22 A. Email addresses. 10:24

23 Q. Anything else? 10:24

24 A. No. 10:24

25 Q. [REDACTED] 10:24

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1	[REDACTED]	10:24
2	A. [REDACTED]	10:24
3	[REDACTED]	10:25
4	[REDACTED]	10:25
5	[REDACTED]	10:25
6	[REDACTED]	10:25
7	[REDACTED]	10:25
8	[REDACTED]	10:25
9	[REDACTED]	10:25
10	[REDACTED]	10:25
11	[REDACTED]	10:25
12	[REDACTED]	10:25
13	[REDACTED]	10:25
14	[REDACTED]	10:25
15	[REDACTED]	10:25
16	Q. [REDACTED]	10:25
17	[REDACTED] [REDACTED]	10:25
18	A. [REDACTED] [REDACTED]	10:25
19	[REDACTED]	10:25
20	[REDACTED]	10:26
21	[REDACTED] [REDACTED]	10:26
22	Q. [REDACTED]	10:26
23	[REDACTED]	10:26
24	A. [REDACTED]	10:26
25	Q. And that could also include engaging in --	10:26

Page 75

1 well, strike that. 10:26

2 [REDACTED] 10:26

3 [REDACTED] 10:26

4 A. [REDACTED] 10:26

5 [REDACTED] 10:26

6 Q. Got it. Does advertisers here also 10:26

7 include political campaigns? 10:26

8 A. I'm looking at the -- sorry. Sorry. I 10:26

9 need to answer that, I guess. What do you mean? In 10:26

10 what context? 10:26

11 Q. Do political campaigns advertise? 10:26

12 A. Yes, they do. 10:26

13 Q. Okay. And when they are seeking 10:26

14 conversion, are they seeking to encourage certain 10:26

15 actions by Facebook users? 10:26

16 MS. STEIN: Objection to form. 10:27

17 THE WITNESS: Yeah, but that wouldn't 10:27

18 include, you know, like what people voted. It would 10:27

19 probably include if they read, or if they donated, 10:27

20 or if they took an action on their website, 10:27

21 depending on what the campaign is actually optimized 10:27

22 for. 10:27

23 BY MS. WEAVER: 10:27

24 Q. Got it. 10:27

25 A. But, no, the conversion wouldn't be that I 10:27

1 voted for Biden or I voted for Trump. That's not -- 10:27

2 THE REPORTER: I'm sorry, could you please 10:27

3 slow down. The last part? 10:27

4 THE WITNESS: Oh, sorry. 10:27

5 THE REPORTER: "The conversion"... 10:27

6 THE WITNESS: The conversion that 10:27

7 political campaigns are tracking have to do with 10:27

8 fundraising, donations, registration, this kind of 10:27

9 things. 10:27

10 BY MS. WEAVER: 10:27

11 Q. [REDACTED] 10:27

12 [REDACTED] 10:27

13 [REDACTED] 10:27

14 [REDACTED] 10:27

15 [REDACTED] [REDACTED] 10:27

16 [REDACTED] [REDACTED] 10:27

17 BY MS. WEAVER: 10:27

18 Q. And then do you see on the right of 10:27

19 Advertisers it says "Existing customer 10:27

20 relationships"? Do you see that? It's to the right 10:27

21 of Advertisers. 10:28

22 A. Yes. 10:28

23 Q. What does "Existing customer 10:28

24 relationships," that subcategories of advertisers, 10:28

25 refer to? 10:28

1 A. And so going back to our example earlier, 10:28
2 if -- if you are Walmart again, and you know that -- 10:28
3 let's say there are thousands of people that 10:28
4 attempted to purchase a TV from Walmart's website 10:28
5 and you have an understanding of the email addresses 10:28
6 of those people. Then you can encrypt those email 10:28
7 addresses, make them available to Facebook to create 10:28
8 what we call a custom audience. 10:28

9 And then Facebook will, you know, like -- 10:28
10 can target those specific users to the extent that 10:28
11 they are also Facebook users, of course, with an ad 10:28
12 that offers them, let's say, a discount for that 10:28
13 specific TV. 10:28

14 Q. What do you mean by "encrypt"? 10:28

15 A. [REDACTED] 10:29
16 [REDACTED] 10:29
17 [REDACTED] 10:29
18 [REDACTED] 10:29
19 [REDACTED] 10:29
20 [REDACTED] 10:29

21 Q. So what is the difference between 10:29
22 encryption and hashing? 10:29

23 A. It's same thing in that sense. 10:29

24 Q. It is the same thing? 10:29

25 A. Yeah. 10:29

1 Q. Is it true that hashing has two inputs -- 10:29
2 well, let me go back. Is it fair to say that 10:29
3 encryption has two inputs so that if you have a key, 10:29
4 you can associate data point together; is that fair? 10:29
5 MS. STEIN: Object to form. He's not here 10:29
6 as a technical expert, so... 10:29
7 You can give your high-level 10:29
8 understanding, if you have one. 10:29
9 THE WITNESS: Yes, I don't -- I don't 10:29
10 want -- I don't want to talk about, you know, like 10:29
11 encryption. [REDACTED] 10:29
12 [REDACTED] 10:29
13 [REDACTED] 10:30
14 [REDACTED] 10:30
15 [REDACTED] 10:30
16 BY MS. WEAVER: 10:30
17 Q. Okay. Well, just looking at this page, 10:30
18 you see that there's the word "Hashed data matching" 10:30
19 on it? It's below -- it's in the native data box 10:30
20 there. 10:30
21 A. Yes. 10:30
22 Q. Do you see where it says "Hashed data 10:30
23 matching"? 10:30
24 A. Yes. 10:30
25 Q. What is hashed data matching? 10:30

25 [REDACTED] 10:31

1 [REDACTED] 10:31

2 Q. And then going now back to the appended 10:31

3 data chart. Do you see where it says "Purchase 10:31

4 history," near "Advertisers"? 10:31

5 A. Yes. 10:31

6 Q. What does that refer to? 10:31

7 A. [REDACTED] 10:31

8 [REDACTED] 10:32

9 Q. [REDACTED] [REDACTED] 10:32

10 A. [REDACTED] 10:32

11 [REDACTED] [REDACTED] 10:32

12 [REDACTED] 10:32

13 [REDACTED] 10:32

14 [REDACTED] 10:32

15 [REDACTED] 10:32

16 [REDACTED] 10:32

17 [REDACTED] 10:32

18 [REDACTED] 10:32

19 [REDACTED] 10:32

20 Q. Okay. So Facebook is getting data about, 10:32

21 for example, that I had something in my cart that I 10:32

22 didn't purchase; is that right? 10:32

23 MS. STEIN: Object to form. 10:32

24 THE WITNESS: No, not that, no. 10:32

25

1	BY MS. WEAVER:	10:32
2	Q. Okay. Who has it? You just gave that as	10:32
3	an example.	10:32
4	A. Yeah, but that is a logic that takes place	10:32
5	on the advertiser's side.	10:32
6	Q. Okay.	10:32
7	A. The advertiser selects the marketing team	10:32
8	on the advertiser side to decide what kind of	10:32
9	campaign they want to run. And they create a	10:33
10	segment of their customers that they want to target	10:33
11	with their ad campaign, and then they will decide	10:33
12	what creative they want to use, like how the ad is	10:33
13	going to look like.	10:33
14	Q. Right. But this is a list of information	10:33
15	that Facebook receives, right?	10:33
16	MS. STEIN: Objection to form.	10:33
17	THE WITNESS: The information we receive	10:33
18	is not the activities. It's hashed email addresses	10:33
19	or hashed phone numbers from the advertisers.	10:33
20	BY MS. WEAVER:	10:33
21	Q. Okay. Looking at this chart here, it's	10:33
22	labeled, "What kinds of information does Facebook	10:33
23	receive?" correct?	10:33
24	MS. STEIN: Objection to form.	10:33
25	(Background audio interference.)	10:33

1 MS. WEAVER: Somebody needs to put their 10:33
2 phones on mute or their computers on mute. 10:34
3 Q. Returning to the document, sir, isn't this 10:34
4 page a list of information that Facebook receives 10:34
5 about people? 10:34
6 MS. STEIN: Objection to form. 10:34
7 THE WITNESS: We received information that 10:34
8 an associate hashed email address with a Walmart 10:34
9 customer. 10:34
10 MS. WEAVER: Okay. Tat's -- I'll just 10:34
11 move to strike as nonresponsive. We will move on. 10:34
12 Q. Going back to this category that says 10:34
13 "Both." Do you see that, near [REDACTED]? 10:34
14 A. Yes. 10:34
15 Q. What does "both" mean? 10:34
16 MS. STEIN: Objection to form. 10:34
17 [REDACTED] 10:34
18 [REDACTED] 10:34
19 [REDACTED] 10:34
20 [REDACTED] 10:34
21 [REDACTED] 10:34
22 [REDACTED] 10:34
23 BY MS. WEAVER: 10:34
24 Q. Okay. And so does this document reflect 10:34
25 that Facebook receives from [REDACTED] 10:34

1 [REDACTED] 10:34

2 MS. STEIN: Objection to form. The 10:35

3 document speaks for itself. 10:35

4 MS. WEAVER: I'm here to depose him about 10:35

5 the document, Deb. It was identified ahead of time. 10:35

6 Please answer the question. 10:35

7 MS. STEIN: Yeah, Lesley, this document is 10:35

8 all about targeted advertising, and you've been 10:35

9 going on for about an hour about targeted 10:35

10 advertising which isn't even in this case. It's 10:35

11 outside the scope of this case. 10:35

12 MS. WEAVER: You can instruct him not to 10:35

13 answer if you want, but I'm actually -- 10:35

14 MS. STEIN: Lesley, I've let this witness 10:35

15 testify for an hour about targeted advertising. So 10:35

16 if you want to ask him about the scope of this 10:35

17 deposition, you're free to, but suggesting that just 10:35

18 because you sent us a document about targeted 10:35

19 advertising -- 10:35

20 MS. WEAVER: Deb, stop lecturing and 10:35

21 wasting my minutes with the witness, please. 10:35

22 MS. STEIN: Lesley, I am stating my 10:35

23 position for the record. This is a 30(b)(6) 10:35

24 deposition on a specific set of topics. You've gone 10:35

25 beyond the scope. I've been very liberal in that. 10:35

1 I will let the witness continue answering 10:35

2 some more questions, but if it continues focusing on 10:35

3 targeted advertising, then we're going to have to 10:36

4 move on. 10:36

5 BY MS. WEAVER: 10:36

6 Q. So the question -- I'm sorry, K.P. -- the 10:36

7 question is this: [REDACTED] 10:36

8 [REDACTED] 10:36

9 [REDACTED] 10:36

10 [REDACTED] 10:36

11 MS. STEIN: Objection to form. 10:36

12 THE WITNESS: I don't know the definition 10:36

13 of an [REDACTED] 10:36

14 BY MS. WEAVER: 10:36

15 Q. Okay. 10:36

16 A. [REDACTED] 10:36

17 [REDACTED] 10:36

18 [REDACTED] 10:36

19 [REDACTED] 10:36

20 Q. Thank you. 10:36

21 And does Facebook also receive [REDACTED] 10:36

22 [REDACTED] 10:36

23 A. In what context? 10:36

24 [REDACTED] [REDACTED] [REDACTED] 10:36

25 [REDACTED] 10:36

1 A. [REDACTED] 10:36

2 Q. [REDACTED] 10:36

3 A. [REDACTED] 10:36

4 [REDACTED] 10:36

5 Q. [REDACTED] [REDACTED] [REDACTED] 10:36

6 [REDACTED] [REDACTED] 10:36

7 [REDACTED] 10:36

8 A. [REDACTED] 10:36

9 Q. Okay. And do you see where it says "Web
10 pixels" here? 10:36

11 A. Yes. 10:37

12 Q. What does that refer to? 10:37

13 A. It refers to the different implementation 10:37

14 of the Facebook pixel that is used in conjunction -- 10:37

15 in conjunction with ad campaigns most of the time. 10:37

16 Q. Okay. And what is a conversion pixel? 10:37

17 A. It's a pixel that is strategically 10:37

18 placed -- "strategically" meaning it's down to the 10:37

19 advertiser -- on the page, on their website that 10:37

20 tracks the effectiveness of their ad campaign 10:37

21 depending on their -- their objective of the 10:37

22 company. 10:37

23 Q. Okay. And then "Web SDK," do you see 10:37

24 that? 10:37

25 A. Yes. 10:37

1 Q. What does that refer to? 10:37

2 A. So this is the version of the SDK that is 10:37

3 used by websites. 10:37

4 Q. Okay. And did that change over time? 10:37

5 A. Yes, we update the SDKs quite regularly. 10:38

6 Q. Okay. And "Mobile SDK," what is that? 10:38

7 A. This is the SDK that is used by native 10:38

8 apps, meaning iOS and Android. 10:38

9 Q. Okay. I just want to go back to 10:38

10 [REDACTED] 10:38

11 [REDACTED] 10:38

12 A. I think we discussed about that before. 10:38

13 So I'll try to repeat my previous response. 10:38

14 [REDACTED] 10:38

15 [REDACTED] 10:38

16 [REDACTED] 10:38

17 Q. Okay. I see that I guess the videographer 10:38

18 would like to take a quick break. So do you want to 10:38

19 just -- is that comfortable for you, K.P., to take a 10:38

20 break for a little bit here? 10:38

21 A. Yes, I need a coffee. 10:38

22 MS. WEAVER: Okay. So why don't we come 10:38

23 back at, do you want to say, 10:50? 10:38

24 THE WITNESS: 10 minutes from now? 10:38

25 MS. WEAVER: Yeah, does that work? Well, 10:39

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1	1	11 minutes? Okay. Great.	10:39
	2	THE VIDEOGRAPHER: We are off the record	10:39
2		10:39 3 at a.m.	
		10:39	
3	4	(Recess.)	10:39
		10:39 5 (Off record: a.m.)	
4		10:39	
5	6	(On record: 10:53 a.m.)	10:39
6	7	THE VIDEOGRAPHER: We are on the record at	10:53
7		10:53 8 a.m.	
8		10:53	
9	9	BY MS. WEAVER:	10:53
10	10	Q. Hello, K.P. You understand you are still	10:53
11	11	under oath, correct?	10:53
12	12	A. Yes, I do.	10:53
13	13	Q. Okay. Returning to where we left off, we	10:53
14	14	were discussing [REDACTED] before the break.	10:53
15	15	Do you recall that?	10:53
16	16	A. Yes, I do.	10:53
17	17	Q. [REDACTED]	[REDACTED]:53
18	18	[REDACTED]	10:53
19	19	[REDACTED]	10:53
20	20	[REDACTED]	10:53
21	21	A. [REDACTED]	10:53
22	22	MS. STEIN: Object to form.	10:53
23	23	BY MS. WEAVER:	10:53
24	24	Q. And so to the right here do you see it	10:53
25	25	[REDACTED]	10:53

1 [REDACTED] [REDACTED] 10:53

2 [REDACTED] 10:54

3 A. Yes, I do. 10:54

4 Q. Okay. So does this reflect that Facebook 10:54

5 receives [REDACTED] 10:54

6 [REDACTED] 10:54

7 MS. STEIN: Objection to form. 10:54

8 THE WITNESS: [REDACTED] [REDACTED] 10:54

9 [REDACTED] 10:54

10 [REDACTED] 10:54

11 [REDACTED] 10:54

12 [REDACTED] 10:54

13 [REDACTED] 10:54

14 BY MS. WEAVER: 10:54

15 Q. Okay. And do you see here where it says 10:54

16 [REDACTED] 10:54

17 A. Yes. 10:54

18 Q. Do you see that? What does that refer to? 10:54

19 MS. STEIN: Objection. Asked and 10:54

20 answered. 10:54

21 You can answer. 10:54

22 THE WITNESS: This is in relation to the 10:54

23 web SDK and refers to activities captured in -- this 10:54

24 is for the purpose of those examples via the 10:55

25 Facebook log-in button and a like button. 10:55

1 BY MS. WEAVER: 10:55

2 Q. Okay. And do you see at the bottom of the 10:55

3 page here it refers to "Onavo"? 10:55

4 A. Yes. 10:55

5 Q. And what is Onavo? 10:55

6 A. Onavo is a -- an app we acquired some 10:55

7 five, six years ago, if I'm not mistaken, that's 10:55

8 offers the users the ability to compress the data 10:55

9 from all apps that they used on their phones to save 10:55

10 on data charges. 10:55

11 Q. So it was called Onavo Protect; is that 10:55

12 correct? 10:55

13 A. I don't remember the exact name of the 10:55

14 app. 10:55

15 Q. Do you recall that it was a VPN, a virtual 10:55

16 private network? 10:55

17 MS. STEIN: Objection to form. 10:55

18 THE WITNESS: Yes. 10:55

19 BY MS. WEAVER: 10:55

20 Q. [REDACTED] e all of the 10:55

21 [REDACTED] 10:55

22 [REDACTED] [REDACTED] 10:55

23 [REDACTED] [REDACTED] 10:55

24 [REDACTED] 10:55

25 Q. [REDACTED] 10:56

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1 A. [REDACTED] [REDACTED] 10:56

2 [REDACTED] 10:56

3 Q. [REDACTED] [REDACTED] 10:56

4 [REDACTED] 10:56

5 MS. STEIN: Objection to form. Beyond the 10:56

6 scope. 10:56

7 MS. WEAVER: It relates directly to the 10:56

8 data that Facebook was collecting through Onavo. 10:56

9 Q. Isn't it true that Facebook suspended 10:56

10 Onavo? 10:56

11 MS. STEIN: Objection to form. Beyond the 10:56

12 scope. This witness is not testifying about -- 10:56

13 MS. WEAVER: Are you instructing him not 10:56

14 to answer my question about Onavo? 10:56

15 MS. STEIN: That it's not subject to this 10:56

16 testimony. He's not here -- he knows it -- he's not 10:56

17 designated -- 10:56

18 MS. WEAVER: State an objection to form or 10:56

19 instruct him not to answer. Please don't fill my 10:56

20 record with your speeches. 10:56

21 MS. STEIN: Okay. It's not a speech. I'm 10:56

22 explaining that this witness came prepared to 10:56

23 testify about certain things. He's not a company 10:56

24 witness on suspensions, so he's not answering the 10:56

25 question. 10:56

Page 91

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1 BY MS. WEAVER: 10:56

2 Q. Do you see to the right of the word 10:56

3 "Onavo" here, K.P., where it [REDACTED] 10:56

4 [REDACTED] Do you see that? 10:57

5 A. Yes, I see that. 10:57

6 Q. What does that refer to? 10:57

7 A. Again, only guess. 10:57

8 Q. What -- what do you believe it means? 10:57

9 MS. STEIN: The witness should not guess. 10:57

10 If he knows, he can answer. If he does not know, he 10:57

11 should not answer. 10:57

12 THE WITNESS: I don't know. 10:57

13 BY MS. WEAVER: 10:57

14 Q. Okay. Does that refer to the fact that 10:57

15 Facebook received [REDACTED] 10:57

16 [REDACTED] 10:57

17 MS. STEIN: Objection. The witness just 10:57

18 said he doesn't know. 10:57

19 BY MS. WEAVER: 10:57

20 Q. You can answer the question. 10:57

21 A. I don't know. 10:57

22 Q. Okay. Did you have any personal 10:57

23 involvement with Onavo? 10:57

24 A. No, I didn't. 10:57

25 Q. Okay. Do you know who did? 10:57

Page 93

1 Q. And in quotes it says [REDACTED] 10:58
2 [REDACTED] 10:58
3 [REDACTED] Do you see that? 10:58
4 A. I see that. 10:58
5 Q. And do you see that it's in quotations? 10:58
6 A. Yes. 10:59
7 Q. And is that in quotations because that was 10:59
8 Facebook's policy at the time? 10:59
9 MS. STEIN: Objection to form. If the 10:59
10 witness knows what the people who wrote this -- 10:59
11 MS. WEAVER: Please stop coaching him and 10:59
12 telling him to say that he doesn't know. 10:59
13 MS. STEIN: Lesley -- Lesley, do not 10:59
14 accuse me of coaching. You've gotten -- 10:59
15 MS. WEAVER: That's strike one. 10:59
16 Q. Okay. Go ahead, K.P. 10:59
17 MS. STEIN: Excuse me? 10:59
18 BY MS. WEAVER: 10:59
19 Q. I'll ask the question again. Do you know 10:59
20 at this point in time whether Facebook's policy was, 10:59
21 [REDACTED] 10:59
22 [REDACTED] 10:59
23 A. I can only speak at a high level. This 10:59
24 has always been not just the policy but the way we 10:59
25 operated as a business. 10:59

1 Q. Okay. Thank you. 10:59

2 And then do you see it says [REDACTED] 10:59

3 [REDACTED] right below it? 10:59

4 A. Yes, yes. 10:59

5 Q. Okay. And then there's a bullet point 10:59

6 that says [REDACTED] 11:00

7 [REDACTED] 11:00

8 [REDACTED] 11:00

9 [REDACTED] Do you see that? 11:00

10 A. Yes, I do. 11:00

11 Q. Okay. So is it a true statement that at 11:00

12 this time Facebook's policy prohibited sharing of 11:00

13 data with data brokers or similar entities? 11:00

14 A. Yes. 11:00

15 Q. Okay. And do you have an understanding as 11:00

16 to what the [REDACTED] 11:00

17 [REDACTED] what does that mean? 11:00

18 A. It means that Facebook as a business only 11:00

19 makes public commitments about things that are 11:00

20 within our control. 11:00

21 Q. Okay. And so I just want to direct your 11:00

22 attention to the bottom bullet point there in the 11:00

23 second sentence. Do you see where it says [REDACTED] 11:00

24 [REDACTED] 11:01

25 [REDACTED] 11:01

1 [REDACTED] Do you see 11:01
2 that? 11:01
3 A. I see that. 11:01
4 Q. Okay. [REDACTED] 11:01
5 [REDACTED] 11:01
6 A. [REDACTED] 11:01
7 [REDACTED] 11:01
8 Q. [REDACTED] [REDACTED] 11:01
9 [REDACTED] 11:01
10 A. [REDACTED] 11:01
11 Q. [REDACTED] 11:01
12 A. [REDACTED] 11:01
13 Q. Okay. What is -- a little bit lower 11:01
14 there, do you see [REDACTED] referenced? 11:01
15 A. Yes. 11:01
16 Q. What does that refer to? 11:01
17 A. I don't know. 11:01
18 Q. Okay. There's a question here [REDACTED] 11:02
19 [REDACTED] 11:02
20 [REDACTED] Do you see that? 11:02
21 A. Yes, I see that. 11:02
22 Q. And there's something there that says 11:02
23 [REDACTED] Do you see it? 11:02
24 A. Yes. 11:02
25 Q. What is that? 11:02

1 A. Sorry, I'm searching back so I can see 11:02
2 you. 11:02
3 So there is a -- an option for every app 11:02
4 that you see on your feed to check who is the 11:02
5 advertiser and why you may have been targeted. 11:02
6 Q. Okay. And can you -- that was during the 11:02
7 time period in 2012 to 2017? 11:02
8 A. My -- I don't know exactly when that 11:02
9 option was added, but I believe it was always there. 11:02
10 Q. Okay. And [REDACTED] 11:02
11 [REDACTED] Do you see that? 11:02
12 A. Yes.
13 Q. And it says [REDACTED] 11:03
14 [REDACTED] Do you 11:03
15 see that? 11:03
16 A. Yes. 11:03
17 Q. So is it true that -- well, let me back 11:03
18 up. What is the activity log? 11:03
19 A. It's a list of every single action you 11:03
20 have taken on Facebook. 11:03
21 Q. Okay. And what is "Download Your 11:03
22 Information"? 11:03
23 A. It's a user-friendly way of downloading -- 11:03
24 it's a file basically, but it's a user-friendly file 11:03
25 of everything that Facebook held -- all the 11:03

1 information that Facebook has for you. 11:03

2 Q. Okay. [REDACTED] 11:03

3 [REDACTED] 11:03

4 [REDACTED] [REDACTED] 11:03

5 A. [REDACTED] 11:03

6 Q. [REDACTED] [REDACTED] 11:03

7 [REDACTED] 11:03

8 A. [REDACTED] 11:04

9 Q. Okay. And back to the DYI. You say it's 11:04

10 all the information that Facebook has for you; is 11:04

11 that correct? 11:04

12 A. Yes. 11:04

13 Q. What do you mean by that? 11:04

14 A. It includes from things from like the 11:04

15 information you submitted when you created your 11:04

16 account, to the photos that you may have uploaded, 11:04

17 to the pixels of your friends you may have liked, to 11:04

18 the ads you may have seen, the videos you may have 11:04

19 watched. It's a -- it's a very lengthy, you know, 11:04

20 like document with different things. 11:04

21 Q. [REDACTED] [REDACTED] 11:04

22 [REDACTED] 11:04

23 [REDACTED] 11:04

24 A. [REDACTED] 11:04

25 Q. Okay. Does it include behavioral data? 11:04

1 [REDACTED] [REDACTED] 11:04
2 [REDACTED] [REDACTED] 11:05
3 BY MS. WEAVER: 11:05
4 Q. Okay. So it includes the conversions and 11:05
5 purchases off Facebook? 11:05
6 A. I don't know about that, but it includes 11:05
7 the apps that you have logged in. It includes, I 11:05
8 think, the websites that you may have liked, and so 11:05
9 on. 11:05
10 Q. Okay. Does the Do It Yourself network 11:05
11 include the [REDACTED] 11:05
12 [REDACTED] 11:05
13 MS. STEIN: Objection to form. 11:05
14 THE WITNESS: I think you're referring to 11:05
15 the DYI file? 11:05
16 BY MS. WEAVER: 11:05
17 Q. Yes. I'll ask the question again. Sorry. 11:05
18 Does the DIY file include [REDACTED] 11:05
19 [REDACTED] 11:05
20 MS. STEIN: Objection to form. 11:05
21 THE WITNESS: It should include interests, 11:05
22 which are [REDACTED] so yes. 11:05
23 BY MS. WEAVER: 11:05
24 Q. Does it also include [REDACTED] 11:05
25 MS. STEIN: Objection to form. 11:05

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1 MS. WEAVER: What's the objection? 11:06

2 MS. STEIN: [REDACTED] is a very vague 11:06

3 term, Lesley. 11:06

4 MS. WEAVER: No. It's listed right here 11:06

5 on the document. So I'm going to restate the 11:06

6 question. 11:06

7 Q. Does the DIY tool also include the [REDACTED] 11:06

8 [REDACTED] 11:06

9 [REDACTED] 11:06

10 MS. STEIN: Objection to form. 11:06

11 THE WITNESS: So I will answer with, you 11:06

12 know, like a high-level understanding that the DIY 11:06

13 file includes the pages that you liked. And by 11:06

14 default, that's a behavior. 11:06

15 BY MS. WEAVER: 11:06

16 Q. Does Facebook engage in -- okay. But 11:06

17 just -- sorry. Just go back to that question. 11:06

18 Do you know, as you sit here today, 11:06

19 whether the DIY tool includes [REDACTED] 11:06

20 [REDACTED] 11:06

21 [REDACTED]? 11:06

22 MS. STEIN: Objection to form. 11:06

23 THE WITNESS: DIY file includes activities 11:06

24 such as you liking a page that may suggest an 11:07

25 interest and, by default, explain a behavior or 11:07

1 describe a behavior. 11:07

2 BY MS. WEAVER: 11:07

3 Q. Okay. [REDACTED] 11:07

4 [REDACTED] 11:07

5 [REDACTED] 11:07

6 [REDACTED] 11:07

7 Q. Okay. Going back to the page ending in 11:07

8 425. We were near the bottom of the page there. 11:07

9 A. Yes. 11:07

10 Q. Do you see where it says [REDACTED] 11:07

11 [REDACTED] 11:07

12 A. Yes. 11:07

13 Q. What does that refer to? 11:07

14 A. [REDACTED] 11:07

15 [REDACTED] 11:07

16 [REDACTED] 11:07

17 THE REPORTER: I'm sorry, [REDACTED] 11:08

18 [REDACTED] 11:08

19 THE WITNESS: -- and pixel. 11:08

20 THE REPORTER: I'm sorry, [REDACTED] 11:08

21 [REDACTED] 11:08

22 THE WITNESS: -- captured through the SDKs 11:08

23 and pixel. 11:08

24 THE REPORTER: Thank you. 11:08

25

1 BY MS. WEAVER: 11:08

2 Q. And what is third-party [REDACTED] 11:08

3 again? 11:08

4 A. I think we exhausted that, but I will go 11:08

5 back to the definition as it's being offered in a 11:08

6 previous page: [REDACTED] 11:08

7 [REDACTED] 11:08

8 [REDACTED] 11:08

9 Q. And is that contained in the DYI tool or 11:08

10 the DYI file? 11:08

11 MS. STEIN: Object to form. Objection to 11:08

12 form. 11:08

13 THE WITNESS: I'm sorry, how can a file 11:08

14 include activities as you have already opted out? 11:08

15 BY MS. WEAVER: 11:08

16 Q. Okay. What I'm asking is whether the DIY 11:08

17 tool collects third-party [REDACTED] as it's 11:08

18 referred to there? 11:08

19 A. I'm sorry, I feel like I'm repeating 11:08

20 myself. But the DYI file identified the apps that 11:09

21 you used, the websites that you may have liked and 11:09

22 so on. So it captures [REDACTED] as per -- 11:09

23 Q. Okay. 11:09

24 A. -- the definition of the previous page. 11:09

25 Q. Does it collect all third-party [REDACTED] 11:09

1 [REDACTED] 11:09

2 MS. STEIN: Objection to form. 11:09

3 THE WITNESS: All? I don't know. 11:09

4 BY MS. WEAVER: 11:09

5 Q. Yeah. Okay. 11:09

6 How would you find out? 11:09

7 A. I would have to look at the DYI file. 11:09

8 Q. Okay. And have you looked at any DYI 11:09

9 files to prepare for your deposition today? 11:09

10 A. No, I have not, because that would be a 11:09

11 violation of my commitment to users' privacy. 11:09

12 Q. Did you look at DYI files for any of the 11:09

13 named plaintiffs in this action to prepare for the 11:09

14 deposition? 11:09

15 A. No, because that would be in violation of 11:09

16 my commitment to users' privacy. 11:09

17 Q. To prepare -- 11:10

18 A. I would be fired -- 11:10

19 Q. If your -- 11:10

20 A. -- if I look -- 11:10

21 Q. If your lawyers had you look at the 11:10

22 plaintiffs' DYI files to prepare for deposition in 11:10

23 this action? 11:10

24 A. I would be fired. 11:10

25 Q. Okay. Well, we'll table that. 11:10

1 Can you look at your -- 11:10

2 A. No one here -- 11:10

3 Q. Can you look at your own -- 11:10

4 A. I can only look at mine. 11:10

5 Q. -- DYI -- oh, okay. So can you look at 11:10

6 your own DYI file to determine whether or not all 11:10

7 third-party [REDACTED] is included in it? 11:10

8 A. I can, but not right now. 11:10

9 Q. Okay. Right. 11:10

10 Okay. Give me a moment here. 11:10

11 Okay. So let's turn for a moment to the 11:11

12 page ending in 3428. It says [REDACTED] at top. 11:11

13 Do you know who Maritza Johnson is? 11:11

14 A. No, I don't. 11:11

15 Q. Okay. And do you see, it says, [REDACTED] 11:11

16 [REDACTED] 11:11

17 [REDACTED] 11:11

18 [REDACTED] Do you see that? 11:11

19 A. Yes, I do see that. 11:11

20 Q. So did Facebook track people's -- users' 11:11

21 location? 11:11

22 A. Facebook will have an understanding of the 11:11

23 user's location based on different signals. 11:11

24 Q. Okay. And you see here it says -- when 11:11

25 you say "different signals," what do you mean? 11:11

1 company term, to please, you know, tell the 11:13
2 examiner, because you should not be testifying 11:13
3 beyond the scope of what your -- what's at issue in 11:13
4 this deposition and -- 11:13

5 MS. WEAVER: This is completely within the 11:13
6 scope, Deb, and that's improper coaching. 11:13

7 Q. So, sir, do you know what [REDACTED] 11:13
8 is? 11:13

9 A. I think there is an example for [REDACTED] 11:13
10 [REDACTED] there. 11:13

11 Q. I'm sorry? 11:13

12 A. [REDACTED] [REDACTED] 11:13
13 [REDACTED] 11:13

14 Q. Okay. That's an example of [REDACTED] 11:13
15 [REDACTED] 11:13

16 A. Yes. 11:13

17 [REDACTED] [REDACTED] [REDACTED] 11:13
18 [REDACTED] 11:13

19 MS. STEIN: Objection to form. 11:13

20 [REDACTED] [REDACTED] 11:13

21 [REDACTED] 11:13

22 [REDACTED] 11:14

23 [REDACTED] [REDACTED] 11:14

24 [REDACTED] 11:14

25 [REDACTED] 11:14

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1	[REDACTED]	11:14
2	[REDACTED]	11:14
3	[REDACTED]	11:14
4	[REDACTED]	11:14
5	[REDACTED]	11:14
6	[REDACTED]	11:14
7	BY MS. WEAVER:	11:14
8	Q. [REDACTED]	11:14
9	[REDACTED]	11:14
10	[REDACTED]	11:14
11	[REDACTED] [REDACTED]	11:14
12	A. Those are things that are --	11:14
13	MS. STEIN: Objection to form.	11:14
14	You may answer.	11:14
15	[REDACTED] [REDACTED]	11:14
16	[REDACTED]	11:14
17	BY MS. WEAVER:	11:15
18	Q. Okay. So --	11:15
19	[REDACTED] [REDACTED]	11:15
20	[REDACTED]	11:15
21	[REDACTED]	11:15
22	[REDACTED] [REDACTED] [REDACTED]	11:15
23	[REDACTED]	11:15
24	[REDACTED]	11:15
25	[REDACTED] [REDACTED]	11:15

1 [REDACTED] 11:15

2 [REDACTED] 11:15

3 BY MS. WEAVER: 11:15

4 Q. Okay. And where does that data that -- 11:15

5 the [REDACTED] -- strike that. 11:15

6 Where is the [REDACTED] stored? 11:15

7 [REDACTED] 11:15

8 [REDACTED] [REDACTED] [REDACTED] 11:15

9 [REDACTED] 11:15

10 [REDACTED] 11:15

11 [REDACTED] 11:15

12 [REDACTED] 11:15

13 Q. Okay. And is it contained in the DYI 11:15

14 file? 11:15

15 A. That -- how is that relevant for you? 11:15

16 Q. I get to ask the questions. 11:16

17 [REDACTED] 11:16

18 [REDACTED] 11:16

19 [REDACTED] [REDACTED] 11:16

20 [REDACTED] 11:16

21 [REDACTED] [REDACTED] 11:16

22 [REDACTED] And so it wouldn't show up in a -- in user's 11:16

23 DYI file. 11:16

24 Q. Okay. And when -- 11:16

25 MS. STEIN: I'm just waiting for my feed

1 here.

2 Oh, could you read his answer back,

3 please. 11:16

4 (The record was read by the 11:17

5 court reporter, as requested) 11:17

6 BY MS. WEAVER: 11:17

7 Q. And what do you mean by "associated"? 11:17

8 A. [REDACTED] 11:17

9 [REDACTED] 11:17

10 [REDACTED] 11:17

11 Q. [REDACTED] [REDACTED] 11:17

12 [REDACTED] 11:17

13 A. [REDACTED] 11:17

14 Q. [REDACTED] 11:17

15 A. [REDACTED] 11:17

16 [REDACTED] 11:17

17 [REDACTED] [REDACTED] 11:17

18 [REDACTED] 11:17

19 Q. Right, but it's still one individual. The 11:17

20 source of the -- the -- originally is one user, 11:17

21 right? 11:17

22 MS. STEIN: Objection to form. 11:17

23 BY MS. WEAVER: 11:17

24 Q. Because either I live in San Francisco or 11:17

25 I indicated -- I mean, all of this data comes from 11:17

1 individuals, right? 11:17

2 A. Some of the data -- sorry. Again, if -- 11:17

3 if it's -- according to the previous definition, if 11:17

4 it's native data, that means that you have provided 11:17

5 that information. 11:18

6 Q. Okay. So let's -- okay. Let's talk -- 11:18

7 A. Like you have defined San Francisco -- 11:18

8 Q. Right. 11:18

9 A. -- to be your hometown. 11:18

10 Q. Perfect. 11:18

11 A. Okay. 11:18

12 Q. So it's associated with me initially, 11:18

13 right? 11:18

14 A. You have specifically suggested to your 11:18

15 Facebook friends by basically filling in that 11:18

16 specific field that Facebook asked you to do that 11:18

17 your hometown is San Francisco. You may live in 11:18

18 Denver, but your hometown appears to be 11:18

19 San Francisco. 11:18

20 Q. Okay. [REDACTED] 11:18

21 [REDACTED] 11:18

22 [REDACTED] [REDACTED] 11:18

23 [REDACTED] 11:18

24 [REDACTED] [REDACTED] 11:18

25 [REDACTED] 11:18

1 [REDACTED] 11:18

2 Q. Okay. I'm just -- honestly, K.P., I'm 11:18

3 trying to understand your answer. 11:18

4 You said the data that we are talking 11:18

5 about is not associated with specific users. We 11:18

6 just talked about -- 11:19

7 A. Yes, please. 11:19

8 Q. -- it was associated with an individual 11:19

9 user because they're from San Francisco. 11:19

10 A. Yes. 11:19

11 Q. So when does it become disassociated? 11:19

12 A. But I'm trying to explain to you the 11:19

13 distinction between data that comes from [REDACTED] 11:19

14 [REDACTED] to use your -- 11:19

15 Q. Okay. 11:19

16 A. -- the definition in this document, versus 11:19

17 [REDACTED] 11:19

18 Q. Okay. And -- 11:19

19 A. So -- no, no, no, no. Sorry. I have to 11:19

20 be super precise here. 11:19

21 [REDACTED] [REDACTED] 11:19

22 [REDACTED] 11:19

23 [REDACTED] 11:19

24 Q. Right. 11:19

25 [REDACTED] [REDACTED] 11:19

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1	[REDACTED]	11:19
2	[REDACTED]	11:19
3	[REDACTED]	11:19
4	[REDACTED]	11:19
5	[REDACTED]	11:19
6	[REDACTED]	11:19
7	[REDACTED]	11:19
8	[REDACTED]	11:19
9	[REDACTED]	11:20
10	[REDACTED]	11:20
11	[REDACTED]	11:20
12	[REDACTED]	11:20
13	Q. I understand.	11:20
14	By the way, would you use a different word	11:20
15	than [REDACTED] Is there another way to reference	11:20
16	that?	11:20
17	A. I would probably use [REDACTED]	11:20
18	Q. [REDACTED]	11:20
19	A. [REDACTED]	11:20
20	Q. Okay. Perfect.	11:20
21	[REDACTED]	11:20
22	[REDACTED]	11:20
23	[REDACTED]	11:20
24	[REDACTED]	11:20
25	[REDACTED]	11:20

Page 112

1 [REDACTED] 11:20

2 [REDACTED] 11:20

3 [REDACTED] 11:20

4 Q. Okay. 11:20

5 A. -- like that. 11:20

6 Q. All right. And then what about [REDACTED] 11:20

7 [REDACTED] is there another term of art at Facebook used 11:20

8 to reference that? 11:20

9 A. That's my definition of [REDACTED] 11:20

10 Q. [REDACTED] Okay. 11:20

11 A. Oh, sorry, [REDACTED] 11:20

12 Q. [REDACTED] I see. Okay. 11:20

13 So going back to what we're talking about, 11:21

14 the -- [REDACTED] 11:21

15 [REDACTED] 11:21

16 [REDACTED] 11:21

17 [REDACTED] 11:21

18 Q. Where is that data stored? Where is the 11:21

19 ad cluster data stored? 11:21

20 [REDACTED] [REDACTED] [REDACTED] 11:21

21 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] 11:21

22 [REDACTED] 11:21

23 [REDACTED] [REDACTED] 11:21

24 A. Okay. At the very high level, if we are 11:21

25 talking about the specific scenario that a business 11:21

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1 that is operating in San Francisco wants to target 11:21
2 users in San Francisco, they will run the campaign 11:21
3 for, let's say, two days; they will target specific 11:21
4 users that live in that area. They may target only 11:21
5 females or only men, people of a certain age, people 11:21
6 of a certain profession, depending on, you know, 11:21
7 like, what sort of campaign they want to run, right? 11:21
8 So that will all be effectively identified 11:21
9 as a potential audience of, let's say for the sake 11:21
10 of the argument, 20,000 users. They still have no 11:22
11 access to the information. They only understand 11:22
12 what is the potential audience their ad campaign can 11:22
13 reach. 11:22
14 [REDACTED] 11:22
15 [REDACTED] 11:22
16 [REDACTED] [REDACTED] 11:22
17 [REDACTED] 11:22
18 [REDACTED] [REDACTED] 11:22
19 [REDACTED] 11:22
20 [REDACTED] 11:22
21 [REDACTED] 11:22
22 [REDACTED] [REDACTED] 11:22
23 [REDACTED] 11:22
24 [REDACTED] 11:22
25 [REDACTED] 11:22

Page 114

1 [REDACTED] 11:22

2 Q. Okay. So let me ask this: So I'm -- say 11:22

3 I'm being targeted in that ad campaign. Is there a 11:22

4 way for me to find out that I was targeted by those 11:22

5 categories that the advertiser chose? 11:22

6 A. You can see it only if that ad campaign 11:23

7 shows up to you. 11:23

8 Q. Okay. And only in realtime? And there's 11:23

9 no record of it after that? 11:23

10 A. I think you can actually see the -- the 11:23

11 information in realtime. But if you go to the DYI 11:23

12 file, you can see probably ad campaigns that you 11:23

13 have been displayed -- or you have seen yourself, or 11:23

14 you have clicked. 11:23

15 Q. Okay. But if they were -- 11:23

16 A. You know -- 11:23

17 Q. -- targeted to me and I didn't take an 11:23

18 action, it's not in the DYI file; is that right? 11:23

19 A. You -- you will see the ad campaigns that 11:23

20 ended up showing up on your feed, [REDACTED] 11:23

21 [REDACTED] 11:23

22 [REDACTED] 11:23

23 [REDACTED] 11:23

24 Q. Got it. 11:23

25 And so let's talk about the information 11:23

1 that is used to create the [REDACTED] How do you 11:23
2 determine what information can be used to apply 11:24
3 those algorithms? 11:24
4 A. I need to clarify that question. 11:24
5 Q. Yeah, it's -- [REDACTED] 11:24
6 [REDACTED] 11:24
7 MS. STEIN: Objection to form. 11:24
8 THE WITNESS: Okay. So are you talking 11:24
9 about [REDACTED] 11:24
10 [REDACTED] 11:24
11 BY MS. WEAVER: 11:24
12 Q. Well, what is [REDACTED] 11:24
13 A. I mean, I don't know of any use of [REDACTED] 11:24
14 [REDACTED], but I'm trying to understand exactly 11:24
15 how you want me to answer the question in a 11:24
16 thoughtful way. 11:24
17 Q. Okay. Well, [REDACTED] 11:24
18 [REDACTED]; is that a 11:24
19 fair definition? 11:24
20 A. [REDACTED] 11:24
21 [REDACTED] 11:24
22 [REDACTED] 11:25
23 [REDACTED] 11:25
24 Q. That was an example, right? 11:25
25 A. Yes. 11:25

1 Q. But at large, is it fair to say that 11:25
2 [REDACTED] 11:25
3 [REDACTED] 11:25
4 MS. STEIN: Objection to form. 11:25
5 THE WITNESS: I cannot talk about that. 11:25
6 [REDACTED] 11:25
7 [REDACTED] 11:25
8 [REDACTED] [REDACTED] 11:25
9 [REDACTED] 11:25
10 [REDACTED] 11:25
11 BY MS. WEAVER: 11:25
12 Q. Okay. So let's -- we can stick with your 11:25
13 example then if you like for now. 11:25
14 What if I sent a -- a private -- a message 11:25
15 in Facebook Messenger to one friend saying "I used 11:25
16 to live in San Francisco" and I've never posted 11:25
17 anything publicly about it. Is that information 11:25
18 used to create the derived [REDACTED] 11:26
19 A. No. 11:26
20 Q. Why not? 11:26
21 A. That's a private conversation between you 11:26
22 and your friend -- 11:26
23 Q. Okay. 11:26
24 A. -- that -- 11:26
25 Q. So how does the algorithm distinguish -- 11:26

1 let me ask this: When the data is being run on 11:26
2 algorithms, is it segregated by public or private 11:26
3 data? 11:26
4 A. So your definition of public or private is 11:26
5 what, if I may say? 11:26
6 Q. If a user designated something private or 11:26
7 restricted audience. 11:26
8 A. Okay. Let's take a little bit of a step 11:26
9 back. Because what we define as public data is 11:26
10 basically your first name, your last name, your 11:26
11 profile picture. 11:26
12 Q. Okay. 11:26
13 A. Anything else that comes with a -- an 11:26
14 audience selection doesn't necessarily belong -- 11:26
15 it's not necessarily by default public. It may have 11:26
16 a limited audience. It may be just you, if it's 11:26
17 things like your birthday, or it may be friends -- 11:27
18 or accessible to your friends. 11:27
19 What we always, you know, like, like to 11:27
20 suggest that communications that happen over 11:27
21 messenger is also by default private, meaning that 11:27
22 it's -- the content of your exchanges with your 11:27
23 friends belong to you and your friends. So that 11:27
24 wouldn't be considered public information. But it 11:27
25 wouldn't be considered necessarily private 11:27

1 information because it's not accessible by anybody 11:27
2 in that -- it's a private conversation but it's not 11:27
3 private data in that sense. 11:27

4 Q. And when Facebook is, let's say -- we can 11:27
5 just stick with your [REDACTED] example. When it 11:27
6 is using the algorithm to create [REDACTED], such 11:27
7 as [REDACTED] is it using that world of 11:27
8 information that you just described that is not 11:27
9 public? 11:27

10 [REDACTED] 11:27
11 [REDACTED] 11:28
12 [REDACTED] 11:28

13 Q. Okay. But what I'm trying to say is -- 11:28
14 and I gave you a different example. So if you 11:28
15 could, just follow my example. Okay. 11:28

16 A. We wouldn't. I think I made -- 11:28

17 Q. Okay. 11:28

18 A. -- that point that -- 11:28

19 Q. When I -- when I look -- 11:28

20 A. -- you telling your friends you live in 11:28
21 San Francisco is your business and it's not for us 11:28
22 to use in any kind of ads. 11:28

23 Q. Okay. And that's because reading messages 11:28
24 and using that content and making it available to 11:28
25 advertisers would violate Facebook's policies, 11:28

1 right? 11:28

2 A. Reading private communications between you 11:28

3 and your friends would be a violation of our 11:28

4 commitment to your privacy. 11:28

5 Q. Okay. Switching topics just for a second. 11:28

6 You know what capabilities are; is that 11:28

7 right? 11:29

8 A. In what -- 11:29

9 Q. In connection with -- in connection with 11:29

10 APIs? 11:29

11 A. Yes, I do. 11:29

12 Q. Okay. Sorry. 11:29

13 So are you familiar with the read stream 11:29

14 capability? 11:29

15 A. Read stream is an API but there is an 11:29

16 associated capabilities. 11:29

17 Q. Yeah. And what is that? 11:29

18 A. It's an API that allows a third party to 11:29

19 access someone's News Feed. 11:29

20 Q. Okay. And what does "read stream" mean in 11:29

21 particular? 11:29

22 A. It's a very poorly, you know, like, 11:29

23 defined -- 11:29

24 Q. It should probably be for the period 2012 11:29

25 to 2017. 11:29

Page 121

1 API. 11:30

2 MS. WEAVER: I'm sorry, I just need to 11:30

3 look really quickly. 11:31

4 Q. What is the Inbox API? 11:31

5 A. It's an API that allows a third party to 11:31

6 access a user's Messenger conversation. 11:31

7 Q. Okay. And what do those third parties -- 11:31

8 strike that. 11:31

9 What access were they given to -- 11:31

10 A. So the third -- 11:31

11 Q. -- use Messenger conversation? 11:31

12 A. Yeah. The third parties that had access 11:31

13 to the Inbox API were app third parties that 11:31

14 replicated core Facebook functionality, including 11:31

15 messaging. So we call those integrations device 11:31

16 integrations because they were replicating 11:31

17 Facebook -- the Facebook app. 11:31

18 Q. [REDACTED] 11:31

19 [REDACTED] 11:31

20 A. [REDACTED] [REDACTED] 11:31

21 Q. [REDACTED] 11:31

22 [REDACTED] 11:32

23 A. [REDACTED] 11:32

24 [REDACTED] 11:32

25 Q. [REDACTED] 11:32

1 A. [REDACTED] 11:32

2 Q. [REDACTED] [REDACTED] 11:32

3 A. [REDACTED] 11:32

4 Q. [REDACTED] 11:32

5 A. [REDACTED] 11:32

6 [REDACTED] 11:32

7 [REDACTED] 11:32

8 [REDACTED] 11:32

9 Q. So I'm going to turn to the page ending 11:32

10 with 429 now. It's just the next page of the same 11:32

11 document. 11:32

12 Oh, strike it. I will move on. 11:32

13 Going, actually, to the page ending in 11:33

14 430. What is [REDACTED] as used in this 11:33

15 document? 11:33

16 A. Can I take a quick moment to read the 11:33

17 document? 11:33

18 Q. Of course. Sorry. 11:33

19 A. Thank you. 11:33

20 (Pause while witness peruses document.) 11:33

21 A. I'm sorry, there's a little bit of 11:33

22 background noise. I don't know where it's coming. 11:33

23 MS. WEAVER: I think that's Ms. Stein. 11:33

24 But maybe not. 11:33

25 MS. STEIN: Sorry. Sorry. 11:33

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1 THE WITNESS: Oh. Okay. 11:33

2 MS. STEIN: I will -- I will mute. The 11:33

3 gardeners are here. Hazards of -- 11:33

4 MS. WEAVER: Yes. 11:33

5 MS. STEIN: -- of COVID. 11:33

6 BY MS. WEAVER: 11:33

7 Q. I'm going to direct your attention just to 11:33

8 a few pages here. 11:33

9 A. Okay. 11:33

10 Q. Great. 11:33

11 [REDACTED] 11:33

12 [REDACTED] 11:34

13 [REDACTED] 11:34

14 A. [REDACTED] 11:34

15 [REDACTED] 11:34

16 Q. [REDACTED] 11:34

17 A. [REDACTED] 11:34

18 Q. [REDACTED] 11:34

19 [REDACTED] 11:34

20 A. [REDACTED] 11:34

21 [REDACTED] 11:34

22 [REDACTED] 11:34

23 Q. [REDACTED] [REDACTED] 11:34

24 A. [REDACTED] 11:34

25 Q. [REDACTED] 11:34

Page 124

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1 A. [REDACTED] 11:34

2 [REDACTED] 11:34

3 Q. [REDACTED] [REDACTED] 11:34

4 [REDACTED] [REDACTED] 11:34

5 A. [REDACTED] 11:34

6 Q. [REDACTED] 11:34

7 A. [REDACTED] 11:34

8 Q. [REDACTED] 11:34

9 A. [REDACTED] 11:34

10 Q. [REDACTED] [REDACTED] [REDACTED] 11:34

11 [REDACTED] 11:34

12 A. [REDACTED] [REDACTED] 11:34

13 [REDACTED] 11:34

14 [REDACTED] [REDACTED] 11:35

15 [REDACTED] 11:35

16 [REDACTED] 11:35

17 Q. Okay. And so if you turn to the second 11:35

18 page here ending in 3431, do you see where it says 11:35

19 [REDACTED] It's in bold. 11:35

20 A. Yeah. 11:35

21 Q. Okay. And then it says, [REDACTED] 11:35

22 [REDACTED] 11:35

23 [REDACTED] 11:35

24 Do you see that? 11:35

25 A. Yes. 11:35

Page 125

1 Q. Do you -- what is [REDACTED] 11:35

2 A. [REDACTED] 11:35

3 [REDACTED] 11:35

4 Q. And what do you mean by graph? 11:35

5 A. Everything at Facebook is the graph. Any 11:35

6 entity, any connection that's affecting the part of 11:35

7 the graph. 11:35

8 Q. Okay. Is it a relational database? 11:35

9 A. [REDACTED] [REDACTED] 11:35

10 [REDACTED] [REDACTED] 11:35

11 [REDACTED] 11:36

12 [REDACTED] 11:36

13 Q. [REDACTED] [REDACTED] 11:36

14 [REDACTED] 11:36

15 [REDACTED] 11:36

16 A. [REDACTED] 11:36

17 [REDACTED] [REDACTED] 11:36

18 Q. [REDACTED] 11:36

19 A. [REDACTED] 11:36

20 [REDACTED] 11:36

21 Q. [REDACTED] 11:36

22 [REDACTED] 11:36

23 A. [REDACTED] 11:36

24 [REDACTED] 11:36

25 Q. [REDACTED] 11:36

1 A. [REDACTED] 11:36

2 Q. [REDACTED] 11:36

3 [REDACTED] 11:36

4 A. [REDACTED] 11:36

5 Q. Okay. And if I go to delete my Facebook 11:36

6 account, what is deleted? Is all the data relating 11:36

7 to me deleted? 11:36

8 A. Your interactions with public entities 11:36

9 will not be deleted. 11:36

10 Q. So how do you identify all of the data to 11:37

11 delete? 11:37

12 A. My -- my response would be anything that 11:37

13 lives in the "Download Your Information" file is 11:37

14 going to disappear. 11:37

15 Q. What about all the rest of the data in the 11:37

16 graph? 11:37

17 A. Again, the only exception here would be, 11:37

18 you know, like, your interactions with public 11:37

19 entities. If you end -- ended up commenting on 11:37

20 United's page you didn't like their service, that 11:37

21 is, by default, public and is not personal 11:37

22 information. And, to some extent, it belongs also 11:37

23 to United because you did that on their entity. 11:37

24 Q. So -- 11:37

25 A. But pretty much every -- everything else 11:37

1 that is associated to you will be deleted. 11:37

2 Q. Okay. And when you say "is associated to 11:37

3 me," what do you mean? 11:37

4 A. [REDACTED] 11:37

5 Q. [REDACTED] 11:37

6 A. [REDACTED] 11:38

7 [REDACTED] [REDACTED] 11:38

8 Q. [REDACTED] [REDACTED] [REDACTED] 11:38

9 [REDACTED] 11:38

10 A. [REDACTED] [REDACTED] 11:38

11 Q. [REDACTED] 11:38

12 A. [REDACTED] 11:38

13 [REDACTED] 11:38

14 [REDACTED] 11:38

15 [REDACTED] [REDACTED] 11:38

16 Q. Okay. You -- you referred earlier to data 11:38

17 that is not associated with individuals. Do you 11:38

18 recall that? 11:38

19 A. I need to play back my -- you know, like, 11:38

20 my sentence. Okay. What about it? 11:38

21 Q. You -- okay. So there is data that is not 11:38

22 associated with individual users; is that right? 11:38

23 A. Overall? 11:38

24 Q. Yes. 11:38

25 A. Yes, we -- we do have some information 11:38

1 that is not associated with specific users. 11:38

2 Q. Right. 11:38

3 A. Like United's page on Facebook is not 11:38

4 associated with specific users. 11:38

5 Q. Okay. We'll put a pin in this and we'll 11:38

6 come back to it. Because I think really drilling in 11:39

7 on what Facebook can identify about me specifically 11:39

8 is at the heart of this deposition. 11:39

9 Okay. So going back to [REDACTED] 11:39

10 [REDACTED] Do you see the bullet point below? It 11:39

11 says [REDACTED] Do you see that? 11:39

12 A. Yes. 11:39

13 Q. [REDACTED] 11:39

14 [REDACTED] 11:39

15 [REDACTED] 11:39

16 [REDACTED] 11:39

17 Do you see that? 11:39

18 A. Yes. 11:39

19 Q. What is the Privacy XFN team? 11:39

20 A. It's a team that we have that reviews 11:39

21 every single product that we are launching from a 11:39

22 privacy perspective. 11:39

23 Q. Okay. And what is a [REDACTED]? 11:39

24 A. [REDACTED] 11:39

25 [REDACTED] 11:39

1 Q. Okay. [REDACTED] 11:39

2 [REDACTED] 11:39

3 [REDACTED] 11:40

4 [REDACTED] 11:40

5 Q. Who would know? 11:40

6 A. I don't know. 11:40

7 Q. Who at Facebook was in charge for [REDACTED] 11:40

8 [REDACTED] 11:40

9 A. I don't know. 11:40

10 Q. Who is Emily Sharpe? 11:40

11 A. I -- I don't know. I've heard that name 11:40

12 just recently. 11:40

13 Q. Okay. So I'd like for you to turn to the 11:40

14 next page. It says [REDACTED] 11:40

15 [REDACTED] 11:40

16 [REDACTED] Do you see that? 11:40

17 A. Yes. 11:40

18 Q. And this is page 3433. 11:40

19 Who is Travis Bright? 11:40

20 A. I don't know. 11:40

21 Q. Okay. So I'm going to direct your 11:40

22 attention to the last paragraph there where it says, 11:40

23 it begins, [REDACTED] 11:40

24 [REDACTED] 11:41

25 Do you see that? 11:41

1 A. And you said next page? 11:41

2 Q. I'm on the -- sorry. I'm on the bottom 11:41

3 paragraph on the page ending with 3433. 11:41

4 A. Oh, okay. 11:41

5 Sorry, which sentence? 11:41

6 Q. Well, let's do this. Do you see where it 11:41

7 says [REDACTED] 11:41

8 A. Yes. 11:41

9 Q. Okay. So there it says, [REDACTED] 11:41

10 [REDACTED] 11:41

11 [REDACTED] 11:41

12 [REDACTED] 11:41

13 Do you see that? 11:41

14 A. Yes. 11:41

15 Q. And it says a little bit lower there, 11:41

16 [REDACTED] 11:41

17 [REDACTED] 11:41

18 [REDACTED] 11:41

19 Do you see that? 11:41

20 A. Yes. 11:41

21 [REDACTED] [REDACTED] 11:41

22 [REDACTED] 11:41

23 [REDACTED] 11:41

24 [REDACTED] 11:42

25 [REDACTED] [REDACTED] 11:42

1	Q. What is [REDACTED]	11:42
2	[REDACTED]	11:42
3	[REDACTED]	11:42
4	[REDACTED]	11:42
5	Q. Got it.	11:42
6	And then looking forward, it says, [REDACTED]	11:42
7	[REDACTED]	11:42
8	[REDACTED]	11:42
9	Do you see that?	11:42
10	A. Let me see. Where are you now?	11:42
11	Q. I'm sorry. It's two sentences -- here,	11:42
12	I'll go at the sentence ahead. [REDACTED]	11:42
13	[REDACTED]	11:42
14	[REDACTED]	11:42
15	[REDACTED]	11:42
16	[REDACTED]	11:42
17	Do you see that?	11:42
18	A. Yes.	11:42
19	Q. And then it says, [REDACTED]	11:42
20	[REDACTED]	11:42
21	[REDACTED]	11:42
22	Do you see that?	11:42
23	A. Yes.	11:42
24	Q. Do you have any familiarity with [REDACTED]	11:42
25	[REDACTED]	11:42

1 A. No. 11:42

2 Q. Okay. Now, it -- it's referring to 11:42

3 [REDACTED] 11:43

4 [REDACTED] Do you see that? 11:43

5 A. Yes, I do see that. 11:43

6 Q. Does Facebook do that? 11:43

7 A. [REDACTED] 11:43

8 Q. [REDACTED] 11:43

9 A. [REDACTED] 11:43

10 [REDACTED] 11:43

11 Q. [REDACTED] 11:43

12 A. [REDACTED] 11:43

13 [REDACTED] [REDACTED] [REDACTED] 11:43

14 [REDACTED] 11:43

15 Q. [REDACTED] 11:43

16 [REDACTED] [REDACTED] [REDACTED] [REDACTED] 11:43

17 [REDACTED] 11:43

18 [REDACTED] [REDACTED] 11:43

19 [REDACTED] [REDACTED] 11:43

20 [REDACTED] [REDACTED] 11:43

21 [REDACTED] [REDACTED] 11:43

22 [REDACTED] 11:43

23 [REDACTED] 11:43

24 [REDACTED] [REDACTED] 11:43

25 [REDACTED] [REDACTED] 11:43

1 THE REPORTER: Thank you. 11:43

2 BY MS. WEAVER: 11:43

3 Q. [REDACTED] 11:43

4 [REDACTED] 11:43

5 [REDACTED] 11:43

6 A. [REDACTED] 11:43

7 [REDACTED] 11:43

8 Q. [REDACTED] [REDACTED] 11:43

9 [REDACTED] 11:43

10 [REDACTED] 11:44

11 A. [REDACTED] 11:44

12 Q. [REDACTED] 11:44

13 [REDACTED] 11:44

14 A. [REDACTED] 11:44

15 Q. [REDACTED] 11:44

16 A. [REDACTED] 11:44

17 Q. Okay. So here, going back to the 11:44

18 paragraph where we started, it says "The next step 11:44

19 up from this is sharing of anonymized, aggregated, 11:44

20 or hashed data." 11:44

21 Do you see that? 11:44

22 A. Yes. 11:44

23 Q. [REDACTED] 11:44

24 A. [REDACTED] 11:44

25 [REDACTED] 11:44

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.